

Application of: Colin Cook et al.
Serial No.: 10/792,284
Filed: 3/4/2004
Amendment dated December 22, 2009

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussions, is respectfully requested.

Claims 1-5 are currently pending in the application. Claims 6-16 have been canceled previously, and claim 1 has been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not introduce any new matter. Support for the changes can be found in paragraphs [0038] and [0039].

In the outstanding Office Action, claims 1-5 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite; and claims 1-5 were rejected under 35 U.S.C. 103 as being obvious over U.S. Patent Publication No. 2002/0383334 in view of U.S. Patent No. 7,002,565 and U.S. Patent Publication No. 2002/135605.

In response to the rejection of claims 1-5 under 35 U.S.C. 112, second paragraph, as being indefinite, that ground for rejection is rendered moot by the amendments to claim 1. However, on a preliminary note, it can be seen that the term “close” was not so indefinite that the Office Action could not find applied references which it asserted met this limitation. Thus, claim 1 is believed to have been definite as it was. However, in order to expedite prosecution, and to make claim 1 further self-consistent, claim 1 has been amended to recite “near” instead of “close.” As this term has not been objected to in its current use in claim 1, it is believed that this term must be definite. Thus, this ground for rejection has been overcome.

In response to the rejection of claims 1-5 under 35 U.S.C. 103 as being obvious over U.S. Patent Publication No. 2002/0383334 (hereinafter “the ‘334 publication”) in view of U.S. Patent No. 7,002,565 (hereinafter “the ‘565 patent”) and U.S. Patent Publication No. 2002/135605 (hereinafter “the ‘605 publication”), that ground for rejection is respectfully traversed. The Office Action asserts that the combination of the ‘334 publication and the ‘565 patent does not “expressly teach if no black border is found [near] to [the] expected border location, discarding the adjusted screen border and loading a predetermined set of values for the screen border.” The

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Office Action then cites to the '605 publication as overcoming the element not asserted as being taught by the combination of the '334 publication and the '565 patent. The Office Action asserts that the '605 publication "teaches a display mode auto-setting method to optimize display modes" and that it "would have been obvious ... to modify [the '334 publication and the '565 patent] to include the optimization method as taught by [the '605 publication] in order to provide the best or optimal display mode among a plurality of display modes." This conclusion is respectfully traversed.

First, the Office Action does not allege, much less prove, that the '605 patent teaches performing its procedures "if no black border is found near to the expected border location" as the '605 does not check for a black border at all. Thus, this limitation is not met.

Second, the Office Action is actually proposing a modification of the '605 publication that changes its principle of operation. As described in paragraph [0005], the '605 publication uses "an electrically erasable programmable read only memory (EEPROM) storing enhanced display information data (EDID) containing a model number necessary for a monitor driver of the computer system to recognize the monitor, the kind of applicable resolution, and the resolution recommended by a monitor vendor, etc." Thus, there is no need to perform the checks for the black borders if the system of the '605 publication can read the information directly from an EEPROM.

There is also no motivation to combine the references as alleged. If the '605 publication can already read monitor information out of an EEPROM, then one of ordinary skill in the art would not have been motivated to combine it with the '334 publication which performs checks differently. Thus, as the combination fails to teach all of the limitations, and as there is no motivation to combine the references as alleged, claim 1 and its dependent claims are not obvious over the proposed combination of references.

Consequently, in view of the present amendment and in light of the above discussions, the previous grounds for rejection are believed to have been overcome and the pending claims

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are in condition for allowance. An early and favorable action to that effect is respectfully requested.

CHARGE STATEMENT: Deposit Account No. 501860, order no. **2540-0702**.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/ Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

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